OFFICIAL FILE STATE OF ILLINOIS COMMERCE COMMISSION Lesponse to OLG Kuling ORIGINAL STATE OF ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission	
On Its Own Motion	
vs.	
Northern Illinois Gas Company d/b/a	
NICOR Gas Company	Docket No. 02-0067 反连UEU UE
Proceeding to review Rider 4, Gas cost,	AUG 0 1 2002
Pursuant to Section 9-244(c) of the)
Public Utilities Act) ILLINOIS COMMERCE COMMISSION CHIEF CLERK'S OFFICE

AFFIDAVIT OF DON R. SAMPEN

State of Illinois)
SS
County of Cook)

Don R. Sampen, being sworn, says:

- 1. I am an Assistant Attorney General and the Chief of the Public Interest Division in the Illinois Attorney General's Office.
- 2. I make this affidavit upon the request of the attorneys of record for the People of the State of Illinois in this proceeding, Mark Kaminski and Janice A. Dale, of the Attorney General's Public Utilities Bureau, who have informed me of the directive issued on July 23, 2002 by Administrative Law Judges Casey and Haynes in Illinois Commerce Commission Docket No. 02-0067. I am not, however, an attorney of record for the State of Illinois in this proceeding.¹
- 3. Pursuant to the Attorney General's authority under the Whistleblower Reward and Protection Act, 740 ILCS §§ 175/1 et seq., on July 12, 2002, I issued a Civil Investigative Demand (CID) to the Citizens Utility Board (CUB), in care of Robert Kelter, Director of Litigation and to the Illinois Commerce Commission (ICC), in care of Myra L. Karegianes, General Counsel. The CIDs ordered that CUB and the ICC produce all documents related to any claims that NICOR may have presented, or caused to be presented, false information to the State of Illinois related to its Performance Based Rate plan.

¹ Neither Mr. Kaminski nor Ms. Dale report to me, nor do I have supervisory authority over the Public Utilities Bureau.

- 4. Said CIDs are attached to this Affidavit as Attachments A and B.
- 5. Mr. Kelter responded to the CID issued to CUB by personally delivering documents to me on July 16, 2002.
- 6. Ms. Karegianes responded to the CID issued to the ICC on July 16, 2002, and the documents in question were delivered to me personally by James Weging, of the Office of General Counsel at the ICC.
 - 7. Further affiant sayeth not.

Don R. Sampen

Assistant Attorney General

SUBSCRIBED and SWORN to before me this 30 day of

July, 2002.

OFFICIAL SEAL

EVA STACHON

NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 4-2-2005

Notary Public